

# **EXHIBIT 1**

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

Page 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

EDMOND GRANT P/K/A "EDDY GRANT," )  
GREENHEART MUSIC LIMITED, A UNITED )  
KINGDOM LIMITED COMPANY, AND )  
GREENHEART MUSIC LIMITED, AN ANTIGUA )  
AND BARBUDA LIMITED COMPANY, )  
 )  
PLAINTIFFS, ) CIVIL ACTION NO.  
 ) 1:20-CV-07103-JGK  
- AGAINST - )  
 )  
DONALD J. TRUMP AND DONALD J. TRUMP )  
FOR PRESIDENT, INC., )  
 )  
DEFENDANTS. )  
 )

---

VIDEOTAPED DEPOSITION OF EDMOND "EDDY" GRANT  
TAKEN REMOTELY VIA ZOOM VIDEOCONFERENCE  
FRIDAY, MAY 20, 2022

REPORTED BY AUDRA E. CRAMER, CSR NO. 9901

---

DIGITAL EVIDENCE GROUP  
1730 M Street, NW, Suite 812  
Washington, D.C. 20036  
(202) 232-0646

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

Page 2

1 VIDEOTAPED DEPOSITION OF EDMOND "EDDY" GRANT,  
2 TAKEN REMOTELY VIA ZOOM ON BEHALF OF THE DEFENDANTS  
3 AT 10:01 A.M. EDT, FRIDAY, MAY 20, 2022, BEFORE  
4 AUDRA E. CRAMER, CSR NO. 9901, PURSUANT TO NOTICE.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

<p style="text-align: right;">Page 41</p> <p>1 Avenue"?</p> <p>2 A. Not me, no.</p> <p>3 Q. So can you please explain what the song</p> <p>4 is about.</p> <p>5 A. Do I have to?</p> <p>6 MR. CAPLAN: Objection on relevance.</p> <p>7 But answer the question, please,</p> <p>8 generally.</p> <p>9 THE WITNESS: Generally, the song is a</p> <p>10 protest song, in common vernacular, I suppose,</p> <p>11 and that's about that. It was as far as that.</p> <p>12 Songwriters don't, as a rule, sit there and</p> <p>13 explain what did this thing mean, or people</p> <p>14 would be having a lot of problems. Everyone</p> <p>15 interprets a song in their own way.</p> <p>16 BY MR. SAUNDERS:</p> <p>17 Q. Well, certainly -- first I must say</p> <p>18 that I am a huge fan of music, and I follow</p> <p>19 many, many, many artists. So I certainly</p> <p>20 understand your answer.</p> <p>21 But I was wondering if you could</p> <p>22 explain in a little bit more detail what</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. CAPLAN: I think you've given a</p> <p>2 good answer.</p> <p>3 BY MR. SAUNDERS:</p> <p>4 Q. No, we don't have to. I understand.</p> <p>5 Thank you. I'm very familiar with Brixton, the</p> <p>6 home of David Bowie and many others.</p> <p>7 But is "Electric Avenue" a specific</p> <p>8 reference to a place in Brixton?</p> <p>9 A. It's not specific inasmuch as that</p> <p>10 there are many Electric Avenues in the world. I</p> <p>11 mean, there is one in Antigua. There are many</p> <p>12 in the United States. I think everywhere that</p> <p>13 there's been an electric company. There is one</p> <p>14 now in -- where Elon Musk has got his factory in</p> <p>15 Las Vegas or one of those places.</p> <p>16 You know, it stands for something, and</p> <p>17 I've created something that stands for something</p> <p>18 else. So you have a street or many streets, and</p> <p>19 it's become like or meeting in Heaven or meeting</p> <p>20 in Hell. You've never been to Heaven, and</p> <p>21 you've never been to Hell, but it connotes</p> <p>22 something in your memory or in the collective</p>
<p style="text-align: right;">Page 42</p> <p>1 inspired the song "Electric Avenue"?</p> <p>2 A. Inspiration of the song "Electric</p> <p>3 Avenue" would have had to have been the</p> <p>4 sociological issues that were pertaining to</p> <p>5 people within a certain area of London and</p> <p>6 throughout other parts similar in England.</p> <p>7 And the title of the song, which</p> <p>8 actually existed before -- because it's a street</p> <p>9 in one of those areas, being Brixton -- and in</p> <p>10 the way that songwriters do, you find meaning in</p> <p>11 words and images that those words create.</p> <p>12 We can stay here all day, and I can go</p> <p>13 round and round with this, but the bottom line</p> <p>14 of it is that -- sorry. The bottom line of the</p> <p>15 song is that it is a protest against social</p> <p>16 conditions, and then I can pick out the words</p> <p>17 to -- I mean, obviously you've got those words</p> <p>18 there, I suppose.</p> <p>19 "Now in the street there is violence,</p> <p>20 and there's lots of work to be done," well, you</p> <p>21 know, I could go a long -- you know, I mean, do</p> <p>22 we have to?</p>	<p style="text-align: right;">Page 44</p> <p>1 memory of human beings to say, "You're going to</p> <p>2 Hell." Where the hell is Hell, you know? Or</p> <p>3 "We are going to Heaven." Well, where is</p> <p>4 Heaven? Well, you're going to Electric Avenue.</p> <p>5 Q. Okay. And I appreciate that answer.</p> <p>6 But back in 1982 when you wrote the</p> <p>7 lyrics for the song, were you referring</p> <p>8 specifically to "Electric Avenue" in Brixton?</p> <p>9 MR. CAPLAN: It's a yes or a no.</p> <p>10 THE WITNESS: I never said that "I'm</p> <p>11 going to Electric Avenue in Brixton." I said,</p> <p>12 "We're going to Electric Avenue."</p> <p>13 BY MR. SAUNDERS:</p> <p>14 Q. Okay. So is your answer no, that you</p> <p>15 weren't specifically referring to Electric</p> <p>16 Avenue in Brixton?</p> <p>17 A. That sounds like a trick question.</p> <p>18 Q. No. I'm not -- listen, I'm not trying</p> <p>19 to trick you. I'm just trying to get the facts.</p> <p>20 A. Listen, I am black. I come out of</p> <p>21 England. I have many friends and relatives in</p> <p>22 Brixton, and Brixton is generally regarded as a</p>

11 (Pages 41 to 44)

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

<p style="text-align: right;">Page 57</p> <p>1 that, but it has to be with the other side, 2 obviously," which is the recording -- the 3 original recording by Eddy Grant. 4 Q. Okay. And then in a typical licensing 5 transaction, what would be the next step after 6 that? 7 MR. CAPLAN: And objection to 8 "typical." 9 But you can answer. 10 THE WITNESS: The pulling and throwing 11 between the various parties until they reach a 12 number or a time or a number and a time with 13 regard to the license that they're seeking. 14 BY MR. SAUNDERS: 15 Q. Okay. Thank you. 16 So with respect to the license fee -- 17 I'm now talking just generally -- who determines 18 the requested fee? 19 A. I do. 20 Q. Okay. And then do you convey that fee 21 to Sony/EMI? 22 A. Sony may suggest that the market -- the</p>	<p style="text-align: right;">Page 59</p> <p>1 MR. SAUNDERS: So now we're talking 2 about the beginning of the process, the initial 3 amount. 4 THE WITNESS: It's one of the most 5 difficult questions that you can ask a person. 6 It's like the price of fish in the marketplace. 7 When there's fish, no question: Everything is 8 normal. When there is no fish, then, obviously, 9 the value of the fish goes up. 10 So, I mean, I don't know how to answer 11 that. It's a feeling. One, I understand the 12 music business. I understand publishing. I 13 understand my value, which is not necessarily 14 your value or somebody else's value. And having 15 been given an indication of somebody else's 16 value, I then establish my own value, which may 17 be substantially more or not necessarily 18 substantially more but maybe a little more. 19 BY MR. SAUNDERS: 20 Q. Okay. I understand. Thank you. 21 So in making a determination of an 22 initial fee request for a license, is it</p>
<p style="text-align: right;">Page 58</p> <p>1 market is around, let us say, x dollars and/or 2 pounds or whatever currency, and I would make 3 the final determination. 4 We have a -- if not -- well, a tacit 5 agreement between us that they will not ever 6 license anything without my express consent -- 7 written consent. 8 Q. Okay. Okay. Fine. 9 So backing up a little bit, Mr. Grant, 10 so the initial license fee that is suggested to 11 Sony/EMI is decided upon by you personally; 12 correct? 13 A. The initial amount may not be, but 14 certainly the final amount is decided by me. 15 Q. Right. Okay. 16 And so what criteria do you base the 17 initial amount on? 18 In other words, how do you decide for a 19 particular license how to set the fee? 20 MR. CAPLAN: For the initial amount or 21 the final amount agreed to? 22 I'm confused by the question.</p>	<p style="text-align: right;">Page 60</p> <p>1 basically just your subjective analysis of what 2 the value is, or do you take anything else into 3 account? 4 MR. CAPLAN: Are we talking now about 5 the master recording use license or the 6 compositional use license or both? 7 MR. SAUNDERS: Both. 8 MR. CAPLAN: Objection to form. 9 You can answer. 10 THE WITNESS: Both. Generally they go 11 together. 12 If somebody comes from Procter &amp; 13 Gamble, for example, as this is what it is here, 14 and suggests -- or their agency suggests to Sony 15 or whoever the publishing administrator is, then 16 they make up their mind what they think. 17 It's a number of subjective analyses 18 here. You know, the Procter &amp; Gamble person 19 will have an idea what their -- what their -- 20 what the hell is the word I'm looking for? -- 21 what amount they're allowed to spend, and they 22 would then put that forward to Sony, for</p>

15 (Pages 57 to 60)

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

<p style="text-align: right;">Page 137</p> <p>1 to at any time, I did. And now you're asking me</p> <p>2 exactly that same question again.</p> <p>3 Q. I certainly am not trying to repeat</p> <p>4 questions or waste time.</p> <p>5 So my earlier question was certainly</p> <p>6 directed to the meaning of the song and the</p> <p>7 lyrics, and you're correct, I did ask you about</p> <p>8 that.</p> <p>9 But now what I'm asking you is a</p> <p>10 slightly different question. I'm just asking</p> <p>11 whether you have an understanding of what</p> <p>12 Mr. Collins stated in his letter --</p> <p>13 A. Absolutely.</p> <p>14 Q. -- what I just read in the parens. So</p> <p>15 it's a slightly different question.</p> <p>16 A. Yeah, but it has the same inference.</p> <p>17 MR. CAPLAN: He's asking you what was</p> <p>18 meant by that parenthetical in the letter.</p> <p>19 THE WITNESS: "Especially where the use</p> <p>20 indicates a fundamental misunderstanding of the</p> <p>21 very meaning of the underlying work."</p> <p>22 Yes?</p>	<p style="text-align: right;">Page 139</p> <p>1 THE WITNESS: I don't have --</p> <p>2 MR. CAPLAN: -- what did you understand</p> <p>3 that to mean to you?</p> <p>4 THE WITNESS: I said it already: Here</p> <p>5 it was my song was being used in some</p> <p>6 clandestine manner that I did not intend to be</p> <p>7 its use.</p> <p>8 Sorry, guys, but I mean, you know...</p> <p>9 BY MR. SAUNDERS:</p> <p>10 Q. Did you ever inquire into who created</p> <p>11 the video, or did you ever learn who created the</p> <p>12 video?</p> <p>13 A. I was not interested.</p> <p>14 MR. CAPLAN: Just answer the question,</p> <p>15 please: Yes or no, did you ever inquire?</p> <p>16 THE WITNESS: No.</p> <p>17 BY MR. SAUNDERS:</p> <p>18 Q. Okay. Do you have any knowledge of how</p> <p>19 long the video was posted on social media?</p> <p>20 A. No.</p> <p>21 MR. CAPLAN: Objection to form.</p> <p>22 "Social media," can you just describe</p>
<p style="text-align: right;">Page 138</p> <p>1 MR. CAPLAN: What is your -- what do</p> <p>2 you know to be the misunderstanding that</p> <p>3 Mr. Collins was referring to?</p> <p>4 Do you know one way or the other?</p> <p>5 THE WITNESS: I did not write the song</p> <p>6 to gain Donald Trump or any other person</p> <p>7 political capital.</p> <p>8 MR. CAPLAN: You've got your answer.</p> <p>9 BY MR. SAUNDERS:</p> <p>10 Q. Well, I certainly don't want to belabor</p> <p>11 the point, but I just want to know whether you</p> <p>12 have any understanding of Mr. Collins' comment</p> <p>13 that the use indicates a fundamental</p> <p>14 misunderstanding of the meaning of the song?</p> <p>15 MR. CAPLAN: Yes or no, do you have an</p> <p>16 understanding of what Mr. Collins meant by that</p> <p>17 precise thing?</p> <p>18 THE WITNESS: I cannot understand what</p> <p>19 Mr. Collins -- because I am a third party. I am</p> <p>20 reading what Mr. Collins has wrote, and in my</p> <p>21 mind, I understand what is being written there.</p> <p>22 MR. CAPLAN: Okay. So then, simply --</p>	<p style="text-align: right;">Page 140</p> <p>1 what falls under that umbrella so that we're all</p> <p>2 on the same page.</p> <p>3 MR. SAUNDERS: Sure. So it's alleged</p> <p>4 that the video was posted on Twitter. So I was</p> <p>5 just asking whether the witness has any</p> <p>6 knowledge of how long the video appeared on</p> <p>7 Twitter.</p> <p>8 MR. CAPLAN: Yes or no, do you know how</p> <p>9 long?</p> <p>10 THE WITNESS: No.</p> <p>11 BY MR. SAUNDERS:</p> <p>12 Q. Okay. And do you know whether any</p> <p>13 instruction was given, either by Mr. Collins or</p> <p>14 otherwise, to Twitter to take down the video?</p> <p>15 A. I think Mr. Collins' letter of the 13th</p> <p>16 would have been instructive in that regard.</p> <p>17 MR. CAPLAN: He's asking you if you</p> <p>18 know whether or not Mr. Collins reached out to</p> <p>19 Twitter, yes or no, if you know.</p> <p>20 THE WITNESS: Yes, he did, to my</p> <p>21 knowledge and recollection.</p> <p>22</p>

5/20/2022

Edmund Grant, et al. v. Donald J. Trump, et al. Edmund "Eddy" Grant

<p style="text-align: right;">Page 141</p> <p>1 BY MR. SAUNDERS:</p> <p>2 Q. Okay. Are you familiar with the</p> <p>3 Digital Millennium Copyright Act, DMCA?</p> <p>4 MR. CAPLAN: Yes or no, are you</p> <p>5 familiar with the DMCA?</p> <p>6 THE WITNESS: No.</p> <p>7 BY MR. SAUNDERS:</p> <p>8 Q. Okay. Now, Mr. Grant, do you claim</p> <p>9 that you were damaged in any way by the posting</p> <p>10 of the video?</p> <p>11 A. You're asking again very subjective</p> <p>12 question. Damaged how? Damaged why? Damaged</p> <p>13 where? Those are the questions that -- they're</p> <p>14 hanging out there.</p> <p>15 I mean -- and "damaged" is a funny</p> <p>16 word. Physically? There's no marks on my skin.</p> <p>17 Emotionally there would have been.</p> <p>18 Q. Okay. Has the video in any way</p> <p>19 impaired your ability to license the song</p> <p>20 "Electric Avenue"?</p> <p>21 A. I don't know.</p> <p>22 Q. Okay. And have you, in fact, been able</p>	<p style="text-align: right;">Page 143</p> <p>1 MR. SAUNDERS: Okay. Well, actually, I</p> <p>2 have no further questions, Mr. Grant, and I want</p> <p>3 to thank you for your time today.</p> <p>4 THE WITNESS: I want to thank you.</p> <p>5 MR. CAPLAN: Thank you.</p> <p>6 MR. SAUNDERS: All right. Off the</p> <p>7 record.</p> <p>8 THE VIDEOGRAPHER: Let me get off the</p> <p>9 record.</p> <p>10 All right. The time is 1:35 p.m. This</p> <p>11 completes today's deposition. Off the record.</p> <p>12 (Whereupon, at 1:35 p.m. the</p> <p>13 deposition of EDMOND "EDDY" GRANT</p> <p>14 was adjourned.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p style="text-align: right;">Page 142</p> <p>1 to license "Electric Avenue" after the video was</p> <p>2 created and posted?</p> <p>3 A. Can you repeat that. I didn't grab</p> <p>4 what you were saying.</p> <p>5 Q. Sure.</p> <p>6 So the video was posted in August of</p> <p>7 2020, and so what I'm asking is have you been</p> <p>8 able to a license "Electric Avenue" to third</p> <p>9 parties since August 13 -- I have the date of</p> <p>10 August 13, but let's just say since August 2020?</p> <p>11 A. Yes would have to be the answer.</p> <p>12 Q. Okay.</p> <p>13 All right. Let's take another</p> <p>14 five-minute break. I'm either finished, or I</p> <p>15 just have a couple more questions. Okay?</p> <p>16 MR. CAPLAN: Thank you.</p> <p>17 THE VIDEOGRAPHER: Stand by, please.</p> <p>18 The time is 1:31 p.m. Going off the</p> <p>19 record.</p> <p>20 (Recess taken.)</p> <p>21 THE VIDEOGRAPHER: All right, guys. We</p> <p>22 are back on the record. The time is 1:34 p.m.</p>	<p style="text-align: right;">Page 144</p> <p>1 STATE OF CALIFORNIA )</p> <p>2 COUNTY OF LOS ANGELES ) SS.</p> <p>3</p> <p>4 I, AUDRA E. CRAMER, CSR No. 9901, in and for the</p> <p>State of California, do hereby certify:</p> <p>5 That, prior to being examined, the witness named</p> <p>in the foregoing deposition was by me duly sworn to</p> <p>6 testify the truth, the whole truth and nothing but the</p> <p>truth;</p> <p>7 That said deposition was taken down by me in</p> <p>shorthand at the time and place therein named, and</p> <p>8 thereafter reduced to typewriting under my direction,</p> <p>and the same is a true, correct and complete transcript</p> <p>9 of said proceedings;</p> <p>I further certify that I am not interested in the</p> <p>10 event of the action.</p> <p>11 Witness my hand this 6th day of June, 2022.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p style="text-align: right;">_____ Certified Shorthand Reporter for the State of California</p>

36 (Pages 141 to 144)